

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 46782 of 2023

Applicant :- Rajeev Kumar

Opposite Party :- State of U.P.

Counsel for Applicant :- Radhey Krishna Pandey, Manish Pandey

Counsel for Opposite Party :- G.A.

Hon'ble Pankaj Bhatia, J.

1. Heard learned counsel for the applicant as well as learned A.G.A. and perused the record.

2. The FIR in question was lodged alleging that the applicant along with one other has duped an amount of Rs.3,50,000/- from the informant for getting a job.

3. The Counsel for the applicant argues that in the subsequent statement, under Section 161 of Cr.P.C., the informant had stated that Rs.2,85,000/- was given to the applicant in his account. It is also argued that out of the said amount, Rs.85,000/- was recovered by the police authorities from the applicant. The applicant offers to pay balance amount of Rs.2,00,000/- to the informant, if reasonable time is granted.

4. Learned A.G.A. vehemently opposed the bail prayer.

5. Although the offer made by the applicant for bail cannot be done for grant of bail, however, in view of the offers of the applicant, the bail application is **allowed**.

6. Let the applicant **Rajeev Kumar** be released on bail in FIR/ Case Crime No.510 of 2023, under Sections 420, 467, 468, 471 IPC, Police Station Kotwali, District Mainpuri on his furnishing personal bonds and two reliable sureties of Rs.25,000/- each to the satisfaction of the court concerned with the following conditions:

(a) The applicant shall execute a bond to undertake to attend the hearings;

(b) The applicant shall not commit any offence similar to the offence of which he is accused or suspected of the commission;

and

(c) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(d) The amount of Rs.2,00,000/- as offered by the applicant himself shall be paid within a period of two months from today. To further clarified, the applicant shall pay the amount of Rs.2,00,000/- on or before 31.01.2024 through RTGS in the bank account of the informant and in case, the applicant failed to do so, he shall surrender before the court concerned on the 1st of February, 2024.

Order Date :- 3.11.2023

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